

No 4431 Equity

sety therein described as the real estate of Reuben Shultz died seized and possessed

- 5th - did said Reuben Shultz leave a widow surviving him at his death, if "yea"; state what is her name age & condition of health
- 6th - did Reuben Shultz leave surviving him any children or other heirs at law, if "yea"; state their names, their ages & places of residence
- 7th - State whether the real estate described in the Exhibits you have seen is capable of advantageous division among the heirs at law
- 8th - State whether or not it would be of advantage to the heirs at law, infants as well as adults, to have the real estate sold & the proceeds divided among the heirs at law, state all you know with reference thereto
- 9th - Do you know of anything else that would be of advantage to the Complainants in this case, if "yea"; state what it is

Wilton S. Turner
Sole for Compt.

Filed Jan 7, 1879

At the execution of the aforesaid Commission issued out of the Circuit Court for Frederick County sitting as a Court of Equity and directed to William P. Nelson and John G. Wood and directing and empowering them or either of them to examine witnesses in a cause depending in the said Court between Charles M. Shultz and others as Complainant and Marger Shultz and Clayton R. Shultz as Defendants.

J. G. Wood, one of the Commissioners named in the said Commission having met at the Office of Wilton S. Turner Esq in the City of Frederick on Monday the 6th day of January A. D. 1879 at ten O'Clock, pursuant to previous notice thereof, did then and there proceed to take the following depositions and evidence, to wit:

The Complainants filed with the Commissioner as Evidence, Exhibits Nos. 1, 2 and 3, which are herewith returned.

The Commissioners then took the following depositions, to wit:

Testimony
of
Ely Shultz

Elizabeth Shultz a witness of lawful age produced on the part of the Complainant being duly sworn and examined to interrogatories filed with the Commissioner by the Complainant and herewith returned deposes and says,

To 1st Int. I know the parties, they are my children and myself. I have known them all their lives

To 2d Int. - I did know Reuben Shultz. He was my husband. He is dead. He died in Frederick County Maryland, on the 7th day of December A. D. 1875;

To 3d Int. - Reuben Shultz was seized and possessed of Real Estate at the time of his death. It is situated about one mile West of Union Bridge in Frederick County Maryland. It is a farm containing about one hundred and fifty-one acres of land, and is worth about Seventy five or Eighty dollars per acre.

To 4th Int. - I look at papers now shown me, marked Exhibits Nos 1, 2 and 3. They describe the land of which Reuben Shultz died seized and possessed.

To 5th Int. - Witness is the widow of Reuben Shultz. I am fifty-five years of age and I am very frail and hearty

To 6th Int. - Reuben Shultz left children surviving him as follows. He left a daughter Mattie who is married and the name of whose husband is Winfield

Test
John B.